

STEVEN BENITO RUSSO  
Chief of Enforcement  
JEFFERY A. SLY  
Commission Counsel  
FAIR POLITICAL PRACTICES COMMISSION  
428 J Street, Suite 620  
Sacramento, CA 95814  
Telephone: (916) 322-5660  
Attorneys for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION  
STATE OF CALIFORNIA

In the Matter of	)	FPPC No.: 01/156
	)	
	)	
TAHNYA BALLARD, RATEPAYERS FOR	)	STIPULATION, DECISION and
TAHNYA BALLARD and PATRICIA AUSTIN,	)	ORDER
	)	
	)	
Respondents.	)	

Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and Respondents Tahnya Ballard, Ratepayers for Tahnya Ballard, and Patricia Austin hereby agree that this stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this stipulation to resolve all factual and legal issues raised in this matter, and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents.

Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights set forth in sections 83115.5, 11503, and 11523 of the Government Code, and in section 18361 of title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the hearing, to

subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

It is further stipulated and agreed that Respondents Tahnya Ballard, Ratepayers for Tahnya Ballard, and Patricia Austin committed two violations of the Political Reform Act by failing to timely file campaign statements, in violation of section 84200, subdivision (a) of the Government Code, as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

Respondents agree to the issuance of the decision and order, which is attached hereto. Respondents also agree to the Commission imposing upon them an administrative penalty in the amount of Two Thousand Dollars (\$2,000). A cashier's check from Respondents in said amount, made payable to the "General Fund of the State of California," is submitted with this stipulation as full payment of the administrative penalty, and shall be held by the State of California until the Commission issues its decision and order regarding this matter. The parties agree that in the event the Commission refuses to accept this stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which the stipulation is rejected, all payments tendered by Respondents in connection with this stipulation shall be reimbursed to Respondents.

Respondents further stipulate and agree that in the event the Commission rejects the stipulation, and a full evidentiary hearing before the Commission becomes necessary, neither any member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this stipulation.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Mark Krausse, Executive Director  
Fair Political Practices Commission

Dated: \_\_\_\_\_

\_\_\_\_\_  
Tahnya Ballard, Respondent

1  
2 Dated: \_\_\_\_\_

\_\_\_\_\_  
Ratepayers for Tahnya Ballard, Respondent  
By: Patricia Austin, Treasurer

3  
4  
5  
6 Dated: \_\_\_\_\_

\_\_\_\_\_  
Patricia Austin, Respondent

7  
8  
9 Dated: \_\_\_\_\_

\_\_\_\_\_  
Jimmie E. Johnson  
Bell, McAndrews & Hiltachk, LLP  
Attorneys for Respondents

10  
11  
12 **DECISION AND ORDER**

13  
14 The foregoing stipulation of the parties “In the Matter of Tahnya Ballard, Ratepayers for  
15 Tahnya Ballard, and Patricia Austin, FPPC No. 01/156,” including all attached exhibits, is hereby  
16 accepted as the final decision and order of the Fair Political Practices Commission, effective upon  
17 execution below by the Chairman.

18  
19 IT IS SO ORDERED.

20  
21 Dated: \_\_\_\_\_

\_\_\_\_\_  
Liane M. Randolph, Chairman  
Fair Political Practices Commission